

1 competently to the contents hereof.

2 2. Mrs. Simpson is charged with the following offenses: Distribution and Possession
3 with Intent to Distribute 3, 4 methylenedioxymethamphetamine in violation of Title 21, U.S.C. §
4 841 (a)(1) & (b)(1)(C); Distribution and Possession with Intent to Distribute Marijuana, in
5 violation of Title 21, U.S.C., § 841 (a)(1) and (b)(1)(B)(vii); Conspiracy to Distribute and Possess
6 with Intent to Distribute Marijuana and 3,4 methylenedioxymethamphetamine in violation of Title
7 21, U.S.C. § 846; and Aiding and Abetting in violation of Title 18 U.S.C. § 2.

8 3. During an April 7, 2007 change of plea and motion for self-surrender hearing
9 before this Court, Mrs. Simpson twice collapsed to the ground. The Court suspended the hearing
10 and ordered that defense counsel obtain a medical report on Mrs. Simpson's condition. Upon
11 receipt of CJA unit approval for the necessary funding, defense counsel duly obtained a medical
12 report from Dr. Julius Hibbert, a board-certified family practice physician who is on the clinical
13 faculty at U.C. San Francisco. Attached hereto as Exhibit A is a true and correct copy of Dr.
14 Hibbert's Medical Consultation Report, based on an examination of Mrs. Simpson dated May 12,
15 2007. As set forth in Dr. Hibbert's Medical Consultation Report, Mrs. Simpson's collapse in
16 court results from a condition called neurocardiogenic syncope, a response to stress that causes
17 the vasovagal nerve to slow the rate at which the heart beats, thereby slowing the rate of blood
18 flow to the brain. Dr. Hibbert recommended that Mrs. Simpson requires a psychological
19 assessment, finding that "[h]er chronic anxiety is clearly quite severe and rooted in the instability
20 and punishments she endured in her childhood which led her to self-medicate with marijuana."

21 4. Upon receipt of Dr. Hibbert's report, the parties stipulated and the court ordered a
22 continuance of the change of plea hearing in order to permit the recommended assessment to be
23 performed such that concerns regarding Mrs. Simpson's ability to enter a legally-effective plea in
24 this matter might be addressed.

25 5. Undersigned counsel has consulted with mental health professionals and has
26 determined that the most appropriate professional to perform the necessary assessment in this
27 case is a psychologist who is trained in neuropsychological assessments. Counsel has located Dr.

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**EX PARTE APP AND DEC IN SUPP OF
ORDER FOR EXPERT COSTS**

--Case No. CR 07-00123 ABC (Simpson)

1 Marvin Monroe, a board-certified psychologist with a specialization in neuropsychological
2 assessment and evaluation of children and adults with complex problems including concurrent
3 social and emotional difficulties. Dr. Monroe's usual hourly rate is \$350, but, in view of the CJA
4 status of this case, Dr. Monroe is willing to discount his hourly rate to \$275. Attached as Exhibit
5 B is the curriculum vitae of Dr. Monroe.

6 6. Based on my consultation with him, Dr. Monroe opines that the following tasks
7 are necessary in order to complete an adequate psychological assessment:

8 Clinical interview	– 3 hours
9 Neuropsychological testing	– 4 hours
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12 Test scoring	– 2 hours
13 Review of documents	– 2 hours
14 Preparation of Report	– 6 hours
15 Attorney Consultation	– 1 hour
16 Total	= 18 hours

17 7. At \$275/hour, the total requested budget for Dr. Monroe's work is \$4,950.00.

18 8. This is Mrs. Simpson's second request for expert services (the services requested
19 for Dr. Hibbert comprised his first request for expert services). Counsel notes that Dr. Hibbert's
20 invoice was for far less than the amount requested by counsel and duly authorized by CJA. CJA
21 authorized an amount of \$412.50 for medical examination and \$1,050 for preparation of a
22 consultation report. Dr. Hibbert billed a \$275 for the medical examination and \$350 for
23 preparation of a consultation report. Undersigned counsel does not believe that Dr. Monroe's
24 work will be similarly under-budget in that counsel has taken pains to plan for a realistic
25 expenditure of time in order to perform the work necessary to produce the required assessment.

26 9. Accordingly, counsel respectfully requests the following orders:

27 (a) authorization for the amount of \$4,950.00 representing 18 hours of Dr.
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Monroe’s time, at the rate of \$275 an hour, for the services of Dr. Monroe
as a psychologist to complete an assessment of Mrs. Simpson;
(b) the filing in the CJA Confidential File of this Ex Parte Application and
Declaration of Lionel Hutz in Support of Marge Simpson’s Second Request
for Authorization of Costs for Expert (Psychologist), 18 U.S.C. § 3006a
(Expert), and the [Proposed] First Order Authorizing Costs for Psychiatrist
for Marge Simpson, 18 U.S.C. § 3006a (Expert).

Executed under penalty of perjury of the laws of the United States, at San Francisco,
California, this 1st day of July of 2007.

_____/s/_____
Lionel Hutz
Attorney for MARGE SIMPSON